

HOUSE BILL No. 1354

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-1-2-88.1.

Synopsis: Basic local exchange service. Requires a telecommunications provider to provide basic local exchange service to all residential customers in the boundary areas in which it offers telecommunications services.

Effective: July 1, 2002.

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January 15, 2002, read first time and referred to Committee on Commerce, Economic Development and Technology.

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Introduced

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE BILL No. 1354

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 8-1-2-88.1 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2002]: **Sec. 88.1. (a) As used in this section, "basic local exchange
4 service" includes the provision of switched telecommunications
5 service carrying calls originating from and terminating in a local
6 calling area.**
7 **(b) As used in this section, "telecommunications provider" has
8 the meaning set forth in IC 8-1-29-3. The term includes a telephone
9 company (as defined in IC 8-1-2-88).**
10 **(c) As used in this section, "telecommunications service" has the
11 meaning set forth in IC 8-1-29-4.**
12 **(d) As used in this section, "telephone service" has the meaning
13 set forth in IC 8-1-2-88. The term includes basic local exchange
14 service.**
15 **(e) Notwithstanding any other law, a telecommunications
16 provider may not provide telecommunications service unless the
17 telecommunications provider offers basic local exchange service to**

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1 residential customers in all telephone exchange boundary areas in
 2 which the telecommunications provider offers telecommunications
 3 service. For purposes of this subsection, a telecommunications
 4 provider offers basic local exchange service to residential
 5 customers in a telephone exchange boundary area in which the
 6 telecommunications provider offers telecommunications service if,
 7 not more than one (1) year after offering telecommunications
 8 service in a telephone exchange boundary area:

9 (1) the telecommunications provider advertises in a news
 10 reporting medium of general circulation the availability of
 11 and charges for basic local exchange service to residential
 12 customers in a telephone exchange boundary area; and

13 (2) the telecommunications provider:

14 (A) in each telephone exchange boundary area provides
 15 basic local exchange service to at least ten (10) residential
 16 customers who are not employees or agents of the
 17 telecommunications provider; or

18 (B) has a customer base in each telephone exchange
 19 boundary area at least twenty-five percent (25%) of which
 20 is comprised of residential customers;

21 whichever results in the offering or provision of
 22 telecommunications service to the greater number of
 23 residential customers.

24 SECTION 2. [EFFECTIVE JULY 1, 2002] (a) A
 25 telecommunications provider that holds a certificate of territorial
 26 authority that was granted before January 2, 2002, shall comply
 27 with IC 8-1-2-88.1(e), as added by this act, before July 2, 2003.

28 (b) This SECTION expires July 2, 2003.

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